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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,  
11  
12 Plaintiff,

13 v.

14  
15 AMAURI MOLINA-MARTINEZ,  
16 Defendant.

)  
) No. CR 11-00806 SBA

)  
) STIPULATION AND ORDER  
) CONTINUING CHANGE OF PLEA  
) AND SENTENCING DATE;  
) EXCLUSION OF TIME

17  
18 **STIPULATION**

19 IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of  
20 plea and sentencing date in this case with respect to Amauri Molina-Martinez, currently scheduled  
21 for Friday, February 3, 2012 at 10:00 a.m., before Honorable Sandra Brown Armstrong, may be  
22 continued to Thursday, February 23, 2012, at 10:00 a.m. for change of plea and sentencing. The  
23 reason for the requested continuance is that defense counsel needs additional time to meet with her  
24 client, with the assistance of an interpreter, in order to review the plea agreement and final pre-  
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1 sentence report and file a sentencing memorandum prior to the change of plea and sentencing.

2 Defense counsel was in trial from January 23, 2012, through January 30, 2012 and unavailable.

3 IT IS FURTHER STIPULATED that the time between February 3, 2012, and February 23,  
4 2012, may be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§  
5 3161(h)(1)(G) and 3161(h)(7)(B)(iv) while the Court continues to consider the plea agreement  
6 provided to it and for effective preparation of counsel so defense counsel can review the plea  
7 agreement and final presentence report with Mr. Molina-Martinez, with the assistance of an  
8 interpreter, and file a sentencing memorandum prior to the change of plea and sentencing.  
9

10  
11 DATED: 2/01/12

12 /s/  
13 JOYCE LEAVITT  
14 Assistant Federal Public Defender

15 DATED: 2/01/12

16 /s/  
17 JENNIFER GASPAR  
18 Special Assistant United States Attorney

19 I hereby attest that I have on file all holographed signatures for any signatures indicated by a  
20 conformed signature (/s/) within this e-filed document.  
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**ORDER**


GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the change of plea and sentencing date in this case with respect to Amauri Molina-Martinez, currently scheduled for Friday, February 3, 2012 at 10:00 a.m., before Honorable Saundra Brown Armstrong, is hereby continued to Thursday, February 23, 2012, at 10:00 a.m. for change of plea and sentencing.

IT IS FURTHER ORDERED that the time between February 3, 2012, and February 23, 2012, may be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(1)(G) and 3161(h)(7)(B)(iv) while the Court continues to consider the plea agreement provided to it and for effective preparation of counsel so defense counsel can review the plea agreement and final presentence report with Mr. Molina-Martinez, with the assistance of an interpreter, and file a sentencing memorandum prior to the change of plea and sentencing.

The Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial and the failure to grant the requested continuance would unreasonably deny counsel the reasonable time necessary for effective preparation, taking into account due diligence.

SO ORDERED.

DATED: 2/2/12

  
HON. SAUNDRA BROWN ARMSTRONG  
United States District Judge